

BJB 10/10/02 10:11
3:02-M -02336 USA V. REDD
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

BY: 

Plaintiff,

Mark Redd

Defendant(s),

Magistrate Case No.

02 mg 2336

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Sec.

1324(a)(2)(B)(iii)

Bringing in Illegal Aliens(s)

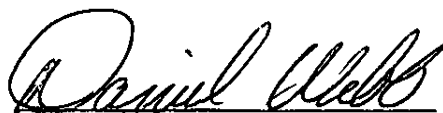
Without Presentation (FELONY)

The undersigned complainant, being duly sworn, states:

COUNT 1

On or about, October 9, 2002, within the Southern District of California, Defendant(s) Mark Redd, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien(s), namely, Leticia GARCIA-Ramirez, had not received prior official authorization to come to, enter and reside in the United States, did bring and attempt to bring to the United States said alien(s) and upon arrival did not bring and present said alien(s) to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant further states that this complaint is based on the attached statement of facts which is incorporated herein by reference.



Signature of Complainant

Senior Immigration Inspector

Official Title

SWORN AND SUBSCRIBED TO before me
this 10th day of October, 2002.


UNITED STATES MAGISTRATE / JUDGE

Continuation of Complaint

Re: Mark Redd

A79 798 108

Probable Cause Statement

The complainant states that he believes that said alien(s) are citizens of a country other than the United States; that said aliens(s) have admitted that they are deportable as defined in Title 8, United States Code, Section 1251; that it is impracticable to secure their attendance at the trial thereof by subpoena; and that they are material witnesses in relation to this charge and should be held or admitted to bail as prescribed in Title 8, United States Code, Section 1227(d).

The Defendant, Mark Redd, a (39) year old United States citizen made application for admission at the San Ysidro Port of Entry on 10/9/02 at approximately 8:35 PM through vehicle lane # 19. He was the driver of a ^{white 1976} yellow 1984 Ford van bearing CA/2K47547. ^{2W0U918} A visible passenger was Jeffrey Fleck a (42) year old United States citizen. Primary Customs Inspector Lorenzo Maninang received negative customs declarations. Inspector Maninang discovered a special compartment affixed to the undercarriage of the vehicle and observed apparent people in the compartment. The vehicle was driven to secondary inspection by Immigration Inspector Salvanera. The Defendant and passenger were escorted to secondary afoot. In secondary inspection (5) undocumented Mexican national females were removed from the special compartment. The Defendant was advised of the Miranda warning. He agreed to questioning without a lawyer and to giving a videotaped statement. He related the following. He and Fleck went to Tijuana on 10/9/02 to socialize. They were approached by smugglers in downtown Tijuana who offered them \$200.00 to drive the van across the border to the McDonald's on Broadway & Palomar in Chula Vista. He was told by the smugglers that people were concealed somewhere in the van.

He never saw the smuggled aliens until at the POE San Ysidro. Fleck was advised of the Miranda warning and he agreed to questioning without a lawyer present. He related the same version of events as stated by the Defendant however denied being told or knowing aliens were concealed in the van.

The material witness, Leticia GARCIA-Ramirez a (24) year old undocumented Mexican national, related the following. She arrived in Tijuana from southern Mexico by bus on 10/9/02. She met alien smugglers at the bus station who offered to smuggle her to Miami, Florida for the promised sum of \$2,000. They took her to a hotel in Tijuana and in that evening concealed her in the compartment of the Ford van. She was in the compartment for about 45 minutes before detection at the Port of Entry. She could not implicate the Defendant or passenger as to knowledge or gain.

The other smuggled aliens stated they were being smuggled for the promised sum of \$2,000 each. They were going to various locations in California. They could neither implicate the Defendant or passenger as to knowledge or gain.

(INS) seized the vehicle. The material witness was paroled to CSJ. Redd was booked at MCC for 8 USC 1324. Fleck was documented and released from custody.